

**BEFORE THE APPEALS BOARD
FOR THE
KANSAS DIVISION OF WORKERS COMPENSATION**

FRANK ORLANDO)	
Claimant)	
VS.)	
)	Docket No. 181,009
SUPERIOR INDUSTRIES INTERNATIONAL, INC.)	
Respondent)	
AND)	
)	
SELF-INSURED)	
Insurance Carrier)	

ORDER

ON the 23rd day of November, 1993, the application of the respondent for review by the Workers Compensation Appeals Board of an order entered by Administrative Law Judge John D. Clark on October 28, 1993, came regularly on for oral argument by telephone conference.

APPEARANCES

Claimant appeared by and through his attorney, Carlton W. Kennard, Pittsburg, Kansas. Respondent appeared by and through its attorney, John I. O'Connor, Pittsburg, Kansas. There were no other appearances.

This is an application for review filed by the respondent from a preliminary hearing order granting claimant's request for temporary total compensation and payment of outstanding medical bills.

ISSUES

(1) Did the Administrative Law Judge exceed his jurisdiction in granting temporary total disability benefits and payment of outstanding medical bills?

RECORD

The record in this case consists of documents on file with the Division of Workers Compensation and the transcript of the preliminary hearing held on October 28, 1993.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based upon the evidence presented and for purposes of preliminary hearing, the Appeals Board finds as follows:

(1) The Administrative Law Judge has the authority pursuant to 1993 Session Laws of Kansas, Chapter 286, Section 49(a)(2), to order temporary total disability benefits and authorize medical bills paid.

(2) In accordance with the facts and circumstances contained in the whole evidentiary record, the Appeals Board finds that the Administrative Law Judge did not exceed his jurisdiction in this case and therefore this application for review is dismissed.

WHEREFORE, it is the finding, decision and order of the Appeals Board that the Order of Administrative Law Judge John D. Clark, dated October 28, 1993, remains in full force and effect.

IT IS SO ORDERED.

Dated this ____ day of December, 1993.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

cc: John D. Clark, Administrative Law Judge
Carlton W. Kennard, P.O. Box 1449, Pittsburg, Kansas 66762
John I. O'Connor, P.O. Box 1236, Pittsburg, Kansas 66762
George Gomez, Director